

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: December 21, 2005

Division: Growth Management

Bulk Item: Yes X No     

Department: Building

Staff Contact Person: Dianne Bair, CFM

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**AGENDA ITEM WORDING:**

Approval of a request by Overseas Lumber Supply Inc., for a floodplain variance to section 9.5-317(3)b.(i) in order to construct an 3,852 square foot CBS open storage building (no garage doors) below base flood elevation at Overseas Lumber Supply, 30500 Overseas Highway, Big Pine Key.

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**ITEM BACKGROUND:**

Non elevated non residential structures used for limited storage only are limited to 300 square feet unless they meet the floodproofing requirements contained in section 9.5-317(b)(2)a. A variance to this size limitation may be approved provided the construction is consistent with the Federal standards and criteria for Floodplain Management as set forth in section 9.5-317(b)(3)b.(ii),(iv) and (v). This structure will be located in an AE 8' flood zone. The existing ground elevation is 5' above mean sea level (MSL). The depth of flooding would be up to 3 feet during a 1% event and would have minimal impact on a properly anchored and vented building. All storage will be on racks at least 3 feet above the floor. This building will replace an existing smaller lumber storage building.

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**PREVIOUS REVELANT BOCC ACTION:**

None

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**CONTRACT/AGREEMENT CHANGES:**

None

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**STAFF RECOMMENDATIONS:**

Approval

**TOTAL COST:** -0-

**BUDGETED:** Yes      No -0-

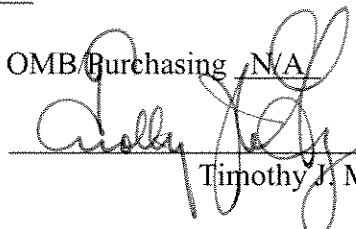
**COST TO COUNTY:** -0-

**SOURCE OF FUNDS:** -0-

**REVENUE PRODUCING:** Yes      No X **AMOUNT PER MONTH**      **Year**     

**APPROVED BY:** County Atty N/A OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**

  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X Not Required     

**DISPOSITION:**     

**AGENDA ITEM #**

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***STAFF REPORT***

***LETTERS OF NOTIFICATION***

## **STAFF REPORT**

**TO:** Timothy J. McGarry, Director, Growth Management Division

**FROM:** Dianne Bair CFM, Special Projects Administrator

**DATE:** November 10, 2005

**SUBJECT:** Flood Variance Request For an 3,852 square foot Open Ended CBS limited storage structure

### **VARIANCE REQUEST:**

As provided for in Article VII, Division 6 Variances to the floodplain management requirements, Section 9-5-318 of the Monroe County Code, the Monroe County Airport Services is requesting a variance to section 9.5-317(2)(b)(i) of the Floodplain Management Ordinance “Non residential accessory structures: **All nonresidential accessory structures, or enclosed areas below base flood elevation, which meet the following criteria, may be permitted if (i) The enclosed area is three hundred (300) square feet or less;”**.

### **BASIS OF REQUEST:**

Overseas Lumber Supply, Inc. is requesting a variance to the size limitation of non-residential structures located below the required base flood elevation. The purpose of the request is to replace a smaller lumber storage structure with a 3,852 square foot CBS lumber storage structure. The structure will have open ends (no garage doors) to accommodate delivery truck drive through to load for delivery. All lumber will be stored on racks above base flood elevation.

### **STAFF REVIEW OF VARIANCE REQUEST:**

(1) In accordance with Section 9.5-318(c)(1) of the Monroe County Code variances shall be issued only upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief, and only upon **ALL the following conditions:**

***a. Showing of good and sufficient cause:***

The applicant has demonstrated good and sufficient cause. The request is to the size of the structure only. This is the minimum variance necessary in that it will comply with all other floodplain management requirements. The structure will be restricted to storage of lumber on racks above base flood elevation and will meet the A-zone flood venting requirements and be properly anchored. This is consistent with both the Federal standards and the requirements of the Monroe County Floodplain Management Ordinance.

***b. A determination that failure to grant the variance will result in exceptional hardship to the applicant***

Failure to grant this variance will result in an exceptional hardship. Variances to the size limitation contained in Section 9.5-317(3)(b)(i) have previously been approved by the Board of County Commissioners. The lumber is considered "limited storage", and will not be damaged in a storm event. The 8' base flood elevation is 3 feet above the 5' ground elevation and all lumber will be stored on racks at least 3' above the ground. The building will have no doors on either end to accommodate trucks driving through the storage building and loading lumber for deliveries. The variance is to the size only and the contents are protected by being above base flood. Damage is being minimized to the maximum extent possible. Denial of the variance would result in an exceptional hardship since the proposal meets the intent and purpose set forth in Section 9.5-315 of the Monroe County Code and minimum federal standards.

***c. A determination that granting the variance will not result in increased flood heights, additional threats to public safety; extraordinary public expense; nuisance; fraud on or victimization of the public, or conflict with other provisions of this chapter.***

Open ends with no garage doors will serve as flood vents to allow flood waters to flow evenly through the structure preventing buildup of water loading. In the event garage doors are to be installed in the future, the CBS walls would have to be vented with 3,852 square inches of NET OPEN AREA flood vents. Granting this variance will not increase the flood heights, result in additional threats to public safety, extraordinary public expense, nuisance, fraud on or victimize the public.

***(2) THE FOLLOWING FACTORS SHALL BE RELEVANT IN GRANTING THE***

**VARIANCE:**

***a. Physical characteristics of construction;***

The construction will be in compliance with all Federal standards set forth in 60.3 CFR, Florida Building Codes and the Monroe County floodplain management standards set forth in Section 9.5-317(3)b.(ii), the use is storage of non damageable materials; 9.5-317(3)b.(iv) the construction will meet the venting and flood resistant materials requirements and; 9.5-317(3)b.(v) the building will meet the anchoring and windload requirements.

***b. Whether it is possible to use the property by a conforming method of construction;***

The lumber storage building would not be sufficient in size if limited to 300 square feet or less.

***c. The possibility that materials may be swept onto other lands to the injury of others;***

A properly constructed, anchored and vented ground level enclosed area will allow water to flow through without destroying the structure or displacing the structure from its foundation. The lumber will be stored on anchored shelving above base flood elevation and will not be swept onto other lands.

***d. The danger to life and property due to flooding or erosion damage.***

There will be no danger to life or property. The building is not for habitational purposes. The business will be closed during a storm and the lumber storage will be above the base flood elevation.

***e. The susceptibility of the proposed facility and its contents to flood damage and the effects of such damage on the individual owner;***

The building itself will be constructed with materials and methods that will prevent flotation collapse and lateral movement. The storage will be a minimum of 8 feet above base flood elevation. There will be no damage posed by flood to the building, the contents or the owner.

***f. The importance to the community of the services provided by the proposed facility;***

Overseas Lumber provides a service for construction and repair materials to the lower keys community. This proposed structure will replace a smaller lumber storage structure. As the community of the lower keys has grown over the past twenty years, the need for service has increased.

***g. The necessity of the facility of a water dependent location where applicable;***

This is not applicable.

***h. The availability of alternative locations less subject to flooding;***

All of Monroe County is located in a floodplain. This is an ideal location being located in an AE flood zone. The base flood elevation of 8' MSL and the ground elevation of 5.0' MSL means this land is susceptible to minimal water inundation up to 3' during a 1% flood.

***i. The compatibility of the proposed use with existing and anticipated development;***

The proposed use being located within an existing lumber yard is compatible with existing and anticipated development in this commercial land use district. This building will replace an existing lumber storage building on the site.

***j. The relationship of the proposed use to the comprehensive plan, land development regulations and the floodplain management program for the area;***

Lumber storage is specific to a lumber yard and the Suburban Commercial (SC) land Use District it is located in and therefore this construction is consistent with the goals, objectives and policies of the *Monroe County Year 2010 Comprehensive Plan*

Ground level enclosed storage areas properly anchored, vented and constructed with flood resistant materials, used for limited storage that could be stored outside, are consistent with the floodplain management program.

***k. The safety and access to the property for ordinary and emergency vehicles in times of flooding;***

Coastal floods are generated by hurricanes in Monroe County. In the event of flooding from hurricane conditions, the property would not be accessible for emergency vehicles. However, this is true for the entire County. Additionally, evacuation is required for hurricane categories that would generate the 1% flood. There would be no reason for people to be at the lumberyard site during hurricane conditions.

***l. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, at the site;***

There is a 1% chance in any given year this site could experience flood waters reaching 8 (AE 8) feet above mean sea level. The average ground elevation at this site is approximately 5.0' MSL. This specific site could be inundated with up to 3 feet of flood water. The velocity of the water would be that associated with coastal AE zone flooding. The rate of rise and sediment transport is associated with riverine flood conditions and not applicable to hurricane generated coastal flooding. This scarified site would be no more affected with a properly anchored and vented building than it would be without.

***m. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems and streets and bridges.***

This is not applicable.

**CONCLUSIONS:**

In conclusion the staff has determined that the applicant meets the criteria for a variance established in Section 9.5-318 of the Monroe County Code.

**RECOMMENDATION:**

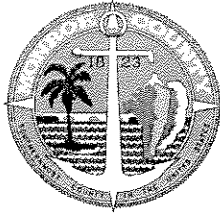
It is recommended that the Board of County Commissioners approve the variance request.



# County of Monroe

## Growth Management Division

2798 Overseas Highway  
Suite 400  
Marathon, Florida 33050  
Voice: (305) 289-2500  
FAX: (305) 289-2536



## Board of County Commissioners

Mayor Charles "Sonny" McCoy, Dist. 3  
Mayor Pro Tem Murray Nelson, Dist. 5  
Comm. Dixie Spehar, Dist. 1  
Comm. George Neugent, Dist. 2  
Comm. David P. Rice, Dist. 4

November 22, 2005

Overseas Lumber Supply, Inc.  
c/o Sheryl Bower, AICP  
88101 Overseas Hwy  
Islamorada, FL 33036

RE: Flood Variance application for a 3,852 SF open ended lumber storage building below base flood elevation.

Dear Ms. Bower:

This is to inform you that your application for a flood variance has been scheduled to be heard before the Board of County Commissioners on December 21, 2005. This meeting will be held at the Marathon EOC/BOCC Chambers beginning at 9:00 A.M.

We have made a recommendation of approval for your request. If you have any questions, do not hesitate to contact this office 305) 289-2518.

Sincerely,

Dianne Bair, CFM  
Special Projects Administrator  
Growth Management Division

*Part b:*

**FLOOD VARIANCE APPLICATION**

**SITE PLAN**

**BUILDING DETAIL**

**PHOTOS**

APPLICATION FOR VARIANCE TO FLOOD HAZARD ORDINANCE

Submit to: Monroe County Building Department

\$50.00 fee for filing of application

10/3/05

DATE 10/3/05

PHONE 305 393-1722

APPLICANT'S NAME Overseas Lumber Supply Inc

APPLICANT'S MAILING ADDRESS 88511 OVERSEAS HWY Islamorada FL 33036

NAME OF PERSON SUBMITTING APPLICATION Sheryl Bower ACP

MAILING ADDRESS OF ABOVE 88101 Overseas Hwy Islamorada FL 33036

PROPERTY DESCRIPTION: KEY BIG PINE SE 1/4 OF NE 1/4 OF SEC 26, T66S, R29E LOT BLOCK

SUBDIVISION

STREET OR ROAD 30500 OVERSEAS HWY

EXPLAIN REQUEST FOR VARIANCE: (Drawings or photos if necessary) A VARIANCE IS NECESSARY TO ALLOW FOR BEST FUNCTIONING OF LUMBERYARD OPERATION. BUSINESS OWNER PREFERENCES "OPEN" STORAGE TO HAVING TO INSTALL GARAGE DOORS ON STRUCTURE. DOOR HINDER ABILITY FOR DRIVE THROUGH SERVICE. REQUIRE ADDITIONAL MAINTENANCE, STAFF AND LIABILITY IN CASE OF SPILL. BRIEFLY EXPLAIN WHY YOU BELIEVE YOUR REQUEST SHOULD BE GRANTED:

PROPERTY OWNER AGREES TO CONDITIONS. OPEN CONCRETE BLUE WITH ALL STORAGE ABOVE FLOOD WILL MOST LIKELY NOT SUFFER FLOOD DAMAGE OR LOSSES. NO ELECTRIC OR PLUMBING BELOW FLOOD

I/WE UNDERSTAND THAT FLOOD INSURANCE RATES FOR IMPROVEMENTS BELOW THE REQUIRED ELEVATIONS WILL RESULT IN HIGH PREMIUM RATES.

Bower M J Pres.  
APPLICANT'S SIGNATURE

DO NOT WRITE BELOW THIS LINE  
TO BE COMPLETED BY ZONING DIRECTOR

PROPERTY INSPECTED BY Walter Jenkins ACP

DATE 10/5/05

COMMENTS Subject building is in an existing lumberyard and surrounding property is commercial property. Variance should be granted

Walter Jenkins  
SIGNATURE OF THE Assistant Building Official

PLEASE RETURN APPLICATION TO:

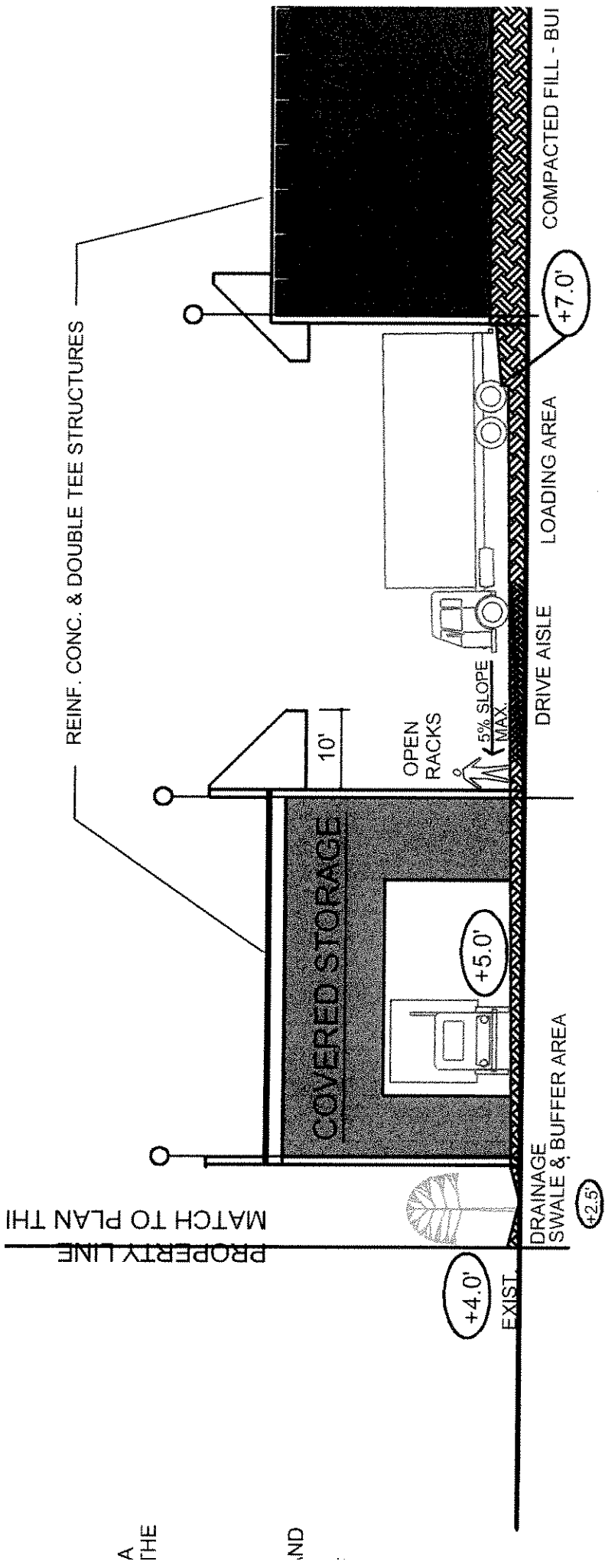
**ZONING: SUBURBAN COMMERCIAL**



LOCATION MAP - Not to Scale

AD ELEC

D.W. - EDGE OF PAVEMENT



# ELEVATION/SECTION THRU SITE LOOKING NO

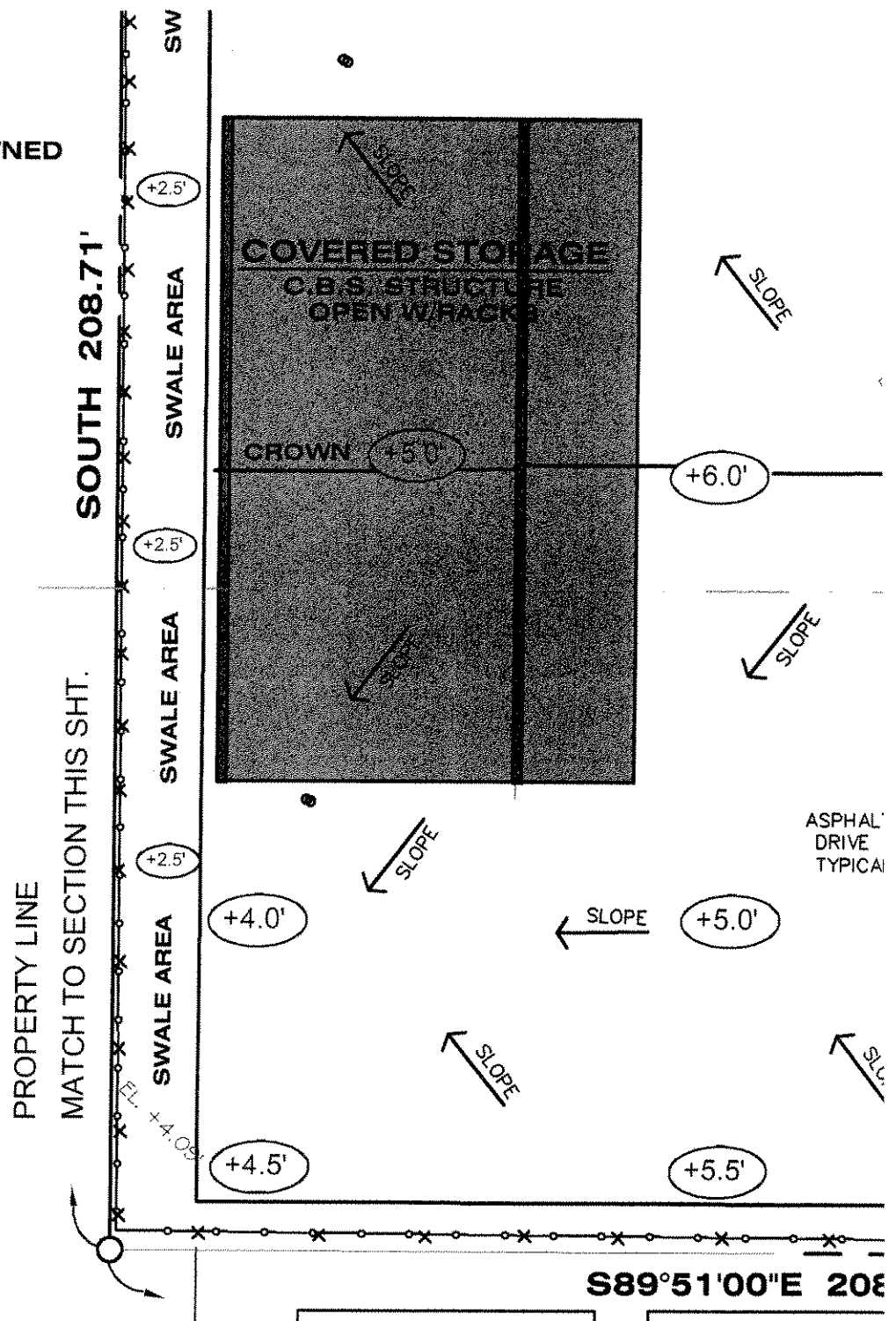
SCALE: 1" = 20'

EXISTING R.O.W.

## DRAINAGE PLAN

SCALE: 1" = 20'-0"

FEDERAL/STATE OWNED  
Not Developed



THE STORMWATER WILL BE MAINTAINED ON SITE BY RETENTION SWALES  
LOCATED AS NOTED ON THE PLAN AND SECTION ON THIS SHT.

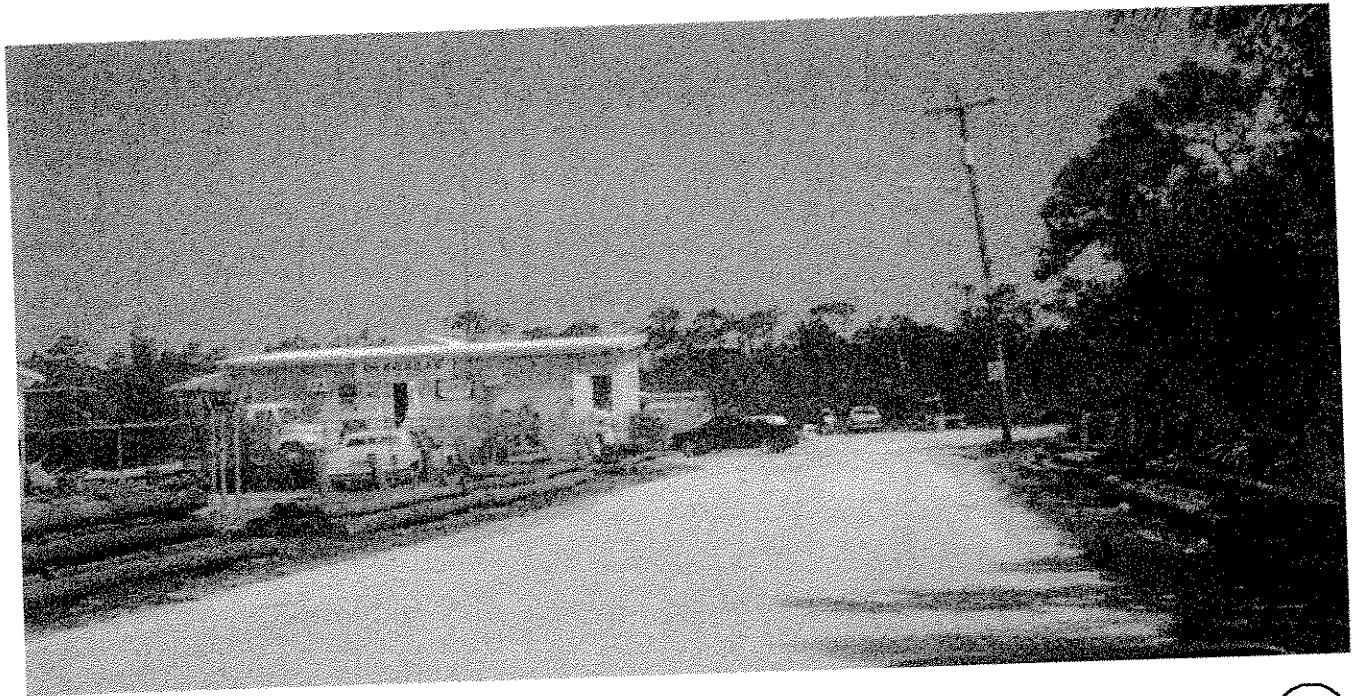


PHOTO - Existing Highway Entrance

M/04

1

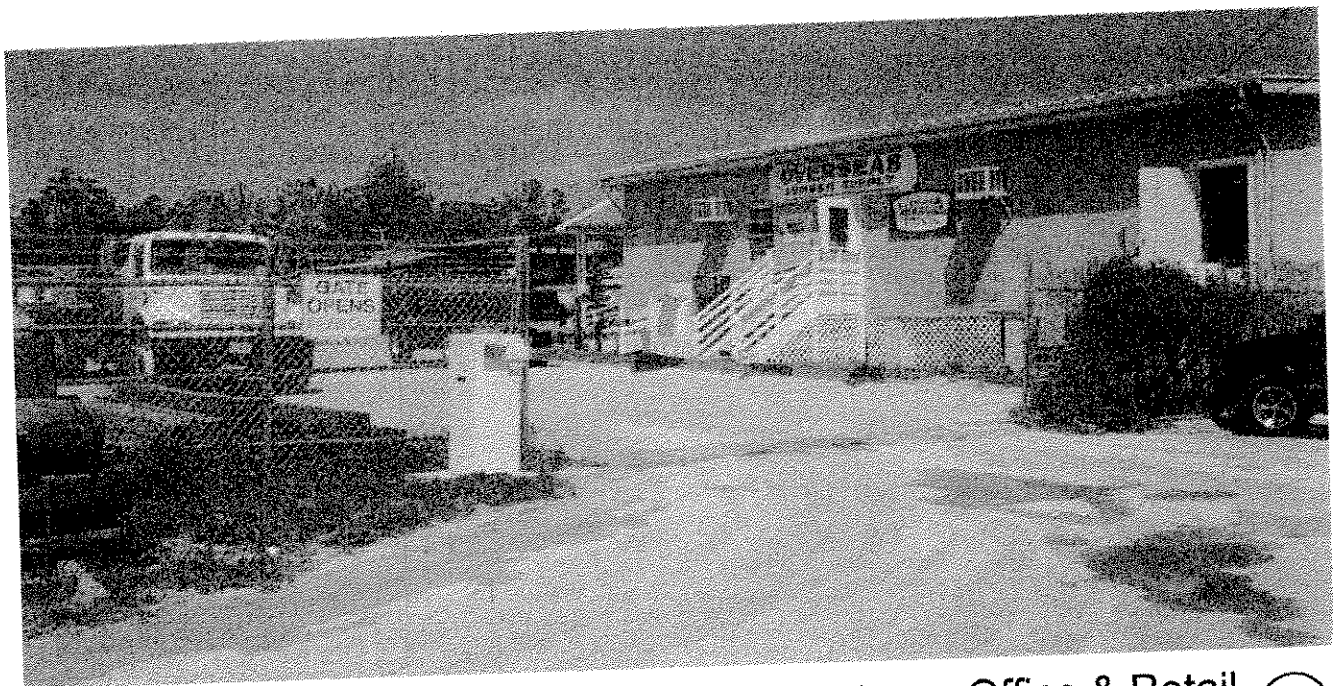


PHOTO - Existing One Story Elevated Structure - Office & Retail

M/04

2





PHOTO - Existing Office & Enclosed Storage Structures

M/04

3

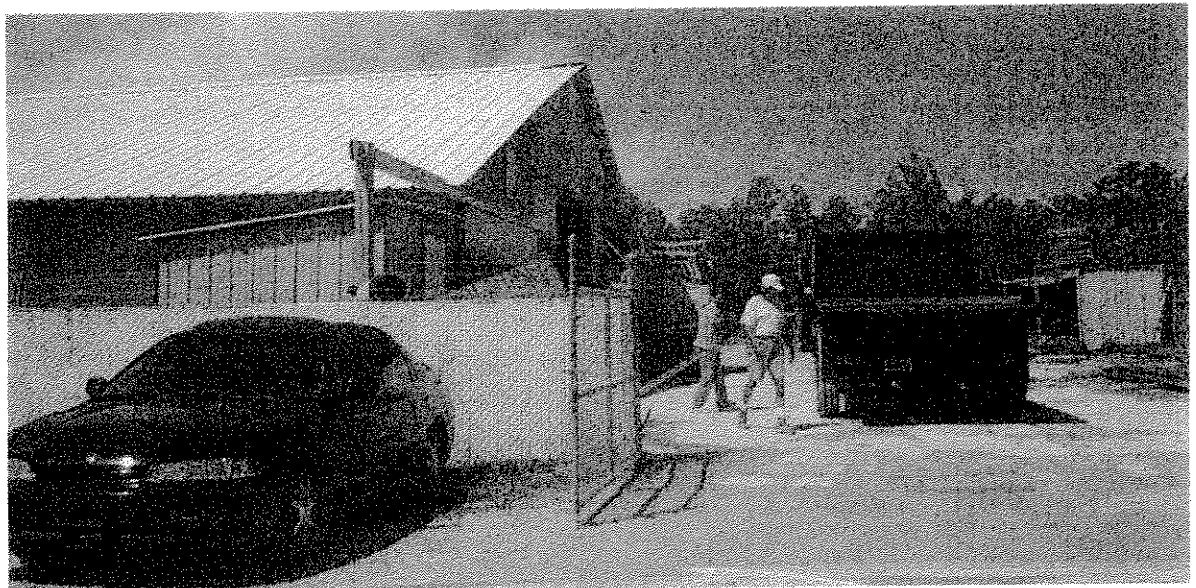
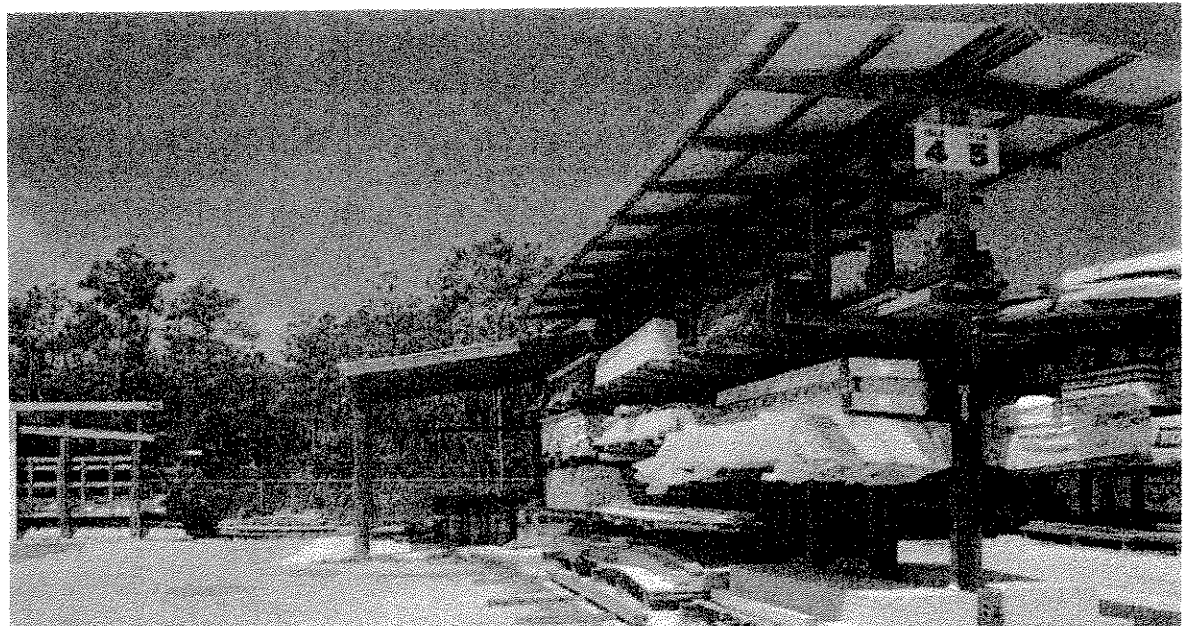


PHOTO - Existing Enclosed & Covered Storage Structures

M/04

4





*Part c.*

***THE FLOOD VARIANCE APPLICATION FEE***

## MONROE COUNTY \*\*\*LIVE\*\*\*

Page 1 of 1

## MISCELLANEOUS RECEIPT

RECEIPT # : 76631

PRINT DATE : 10/03/2005

RECEIPT DATE : 10/03/2005

PRINT TIME : 14:43:54

OPERATOR : dugank

COPY # : 3

RECEIVED BY : dugank

CASH DRAWER: 3

REC'D. FROM : OVERSEAS LUMBER

UDF 106.1 :

UDF 106.2 :

NOTES : FLOOD VARIANCE

FEE ID	AMOUNT	THIS RCPT	BALANCE
-----	-----	-----	-----
FLOOD	50.00	50.00	0.00
	=====	=====	=====
TOTALS:	50.00	50.00	0.00

METHOD OF PAYMENT	AMOUNT	NUMBER
-----	-----	-----
CHECK	50.00	122464-BANK OF AMERI
	=====	
TOTAL RECEIPT :	50.00	